

Application No. 10/086,351  
Amendment dated January 31, 2005  
Reply to Office Action of October 29, 2004

Docket No. 1232-4831

### **REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-18 are pending in this application. Claims 1, 10 and 17 are independent. All of the pending claims stand rejected. By this amendment, Claims 2, 12 and 18 are cancelled without prejudice or disclaimer. Independent claims 1, 10 and 17 are amended. Dependent claims 3-7, 12, 13 14 are also amended for the consistencies with the amended independent claims. New claims 19 and 20 are added. No new matter has been added by this amendment.

#### **Rejection under 35 U.S.C. §112**

Claims 1-14 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 2 and 12 have been cancelled rendering the rejections directed to these claims moot. Claims 1, 3-7, 10 and 12-14 have been amended as shown above.

Reconsideration and withdrawal of the rejections of claims 1-14 under 35 U.S.C. §112 is respectfully requested.

#### **Rejection under 35 U.S.C. §102**

Claims 1-7, 10-14, 17 and 18 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,687,331 to Volk et al. ("Volk").

Volk discloses a viewer interface device used in an interactive television network in which an animation is activated for a control item selected by a user of the viewer interface device. Volk discloses that one of the focus items 110, 110', 110" may be selected in response to

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a viewer thumpad 114 command without cursor manipulation. See, for example, col. 21, line 57 through col. 22, line 7 of Volk.

Independent claims 1, 10 and 17 are amended for further clarification. In particular, amended claim 1 recites among other things “setting means for setting an order for the plurality of objects determined by said determination means.” Other amended independent claims 10 and 17 recite similar features to amended claim 1 as discussed herein. Support for the amendment may be found, for example, at page 11, line 4 through page 12, line 5 of the original specification.

One of the aspects of the present invention as featured in the pending claims enables a user of an image processing device having a simple button (i.e., a one-dimensional operation) to select an object displayed on a screen with multimedia contents. Moreover, the “setting means” of the present invention allows the user to set an order of the selecting the plurality of objects.

As Applicants understand it, the viewer interface of Volk does not have such a function that allows a user to set the order of the selection. The Examiner indicated in the office action that col. 2, line 51 et seq. of Volk discloses order setting means for setting a selection order. Applicants believe, however, that there is no such teachings in the cited portion of Volk. A portion of Volk merely describes that “[t]he set-top terminal 48 preferably supports cursor movement in sixteen different directions in the roam mode and eight directions in the tab mode...” Col. 21, lines 48-51 of Volk.

Accordingly, Applicants believe that each of claims 1, 10 and 17 as amended is neither anticipated by nor rendered obvious in view of Volk for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 10 and 17 under 35 U.S.C. §102(b) is respectfully requested.

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Applicants have not individually addressed the rejections of the dependent claims because Applicants submit that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicants however reserve the right to address such rejections of the dependent claims should such be necessary.

Claims 19 and 20 are added to recite the claimed invention in an alternative manner. Specifically, each of claims 19 and 20 depends from claim 17, and is accordingly believed to be allowable for at least the similar reasons as for claim 17.

Applicants believe that the application as amended including the new claims is in condition for allowance and such action is respectfully requested.

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### AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions (as January 29, 2005 falls on Saturday). However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4831).

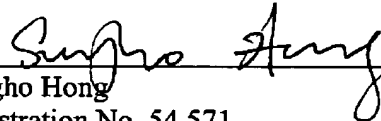
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An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: January 31, 2005

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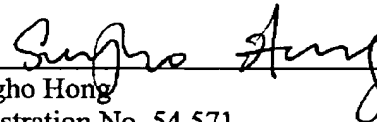
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